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March 29, 2013

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Request to Refresh Record and Take Action to Update Copper Retirement Rules to Promote Affordable Broadband Over Copper, *WC Docket Nos. 10-188, 12-353; GN Docket Nos. 09-51, 13-5; RM-11358*

Dear Ms. Dortch:

On January 25, 2013, Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”) participated in a joint filing with TelePacific, ACN Communications Services, Inc., Level 3 Communications, LCC, and TDS Metrocom, LLC requesting that the Commission refresh the record and take expedited action to update its copper retirement rules to preserve and promote broadband over copper.

This follow-up letter is to offer further clarification on TDI’s position on this topic, as well as a more broad issue with respect to the petition and related proceedings. TDI is an active national advocacy organization focusing its energies and resources to address equal access issues in telecommunications and media for four constituencies in deafness and hearing loss, specifically people who are deaf, hard-of-hearing, late-deafened, or deaf-blind. We see a world of tomorrow where persons who are deaf or hard of hearing have barrier free access to all forms of information, entertainment and telecommunications, thus enabling them to live independently and to fully participate in society. Our current mission is to provide leadership in achieving equal access to telecommunications, media, and information technologies for deaf and hard of hearing people. The transition to an IP environment has the potential to provide customers with disabilities with access to new and valuable technologies, and input from the disability community will play an important role in achieving these gains.

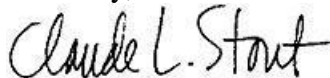
The Commission has determined that “access to broadband has become essential” and has shifted its policymaking towards the singular goal of making broadband available to all Americans. This includes addressing common and special broadband access needs of Americans with disabilities, including those who are deaf and hard of hearing. Under its authority pursuant to Section 706 of the Telecommunications Act of 1996 (“1996 Act”), the Commission has adopted rules to enhance competition and reduce barriers to investment. However, the Commission concluded in

2010, 2011 and 2012 that broadband is not being deployed to all Americans on a reasonable and timely basis. Although the policies of promoting competition and reducing regulation may sometimes conflict, it is the Commission's duty to reconcile and promote both statutory directives to achieve lower prices, higher quality, and the rapid deployment of new technologies and services for all Americans. TDI is not taking any position concerning the current copper retirement rules, rather we seek to ensure that the FCC will consider input from all stakeholders involved. In particular, TDI asks that our needs in accessibility are protected, and that various technologies, along with services and features that come with them, are made widely available and affordable to us everywhere, including rural areas and inner cities.

Verizon and AT&T are doing a remarkable job in providing us with broadband Internet access, TV subscription, and telephone services bundled via their respective FiOS and U-Verse capabilities as well as wireless services. However, our deaf and hard of hearing constituents can benefit substantially from these offerings only if they live within the two companies' coverage areas, usually in suburban areas where the fiber-based service has been deployed, and have access to affordable options.

Indeed, TDI and other consumer groups have been on record over the last several years supporting and encouraging development of greater broadband access via a variety of technologies, including fiber optics, electrical power line, DSL, and wireless.¹ The National Broadband Plan, submitted in February 2011 by the FCC to U.S. Congress, put some emphasis on this much needed flexibility for our consumers to have as much and varied service features from as many carriers to meet their broadband access needs under various pricing options. Our filings in recent years clearly say that while fiber optics is not readily available everywhere in America, we must have alternatives to get available and affordable broadband service.² When fiber optics or other broadband technology is widely available and affordable for everyone in America, then the need to access service through legacy networks will be diminished.

Sincerely,



Claude L. Stout

Executive Director

Telecommunications for the Deaf and Hard of Hearing, Inc.

¹ *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment*, Comments of Consumer Groups in Response to Ninth Broadband Progress Notice of Inquiry, GN Docket No. 12-228 (filed Sept. 20, 2012) ("Consumer Group Comments"); *Comment Sought on the Technological Transition of the Nations Communications Infrastructure*, Comments of Consumer Groups on the Petitions of AT&T and National Telecommunications Cooperative Association, GN Docket No. 12-353 (filed Jan. 28, 2013) and Reply Comments of Consumer Groups on the Petitions of AT&T and National Telecommunications Cooperative Association (filed Feb. 25, 2013).

² Consumer Group Comments at 3.